

**APR 21 2006**

**CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

GLORIA ARIAS-GARCIA,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney  
General,

Respondent.

No. 04-75314

Agency No. A77-324-099

MEMORANDUM<sup>\*</sup>

On Petition for Review of an Order of the  
Board of Immigration Appeals

Submitted April 13, 2006<sup>\*\*</sup>

Before: SILVERMAN, McKEOWN, and PAEZ, Circuit Judges.

Gloria Arias-Garcia, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' ("BIA") order adopting and affirming an

---

<sup>\*</sup> This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Immigration Judge's ("IJ") order denying her application for cancellation of removal. We dismiss the petition for review.

We lack jurisdiction to consider Arias-Garcia's contentions regarding which ground of inadmissibility applied in her case and whether her continuous physical presence was terminated by her criminal activity, because she failed to exhaust them with the BIA. *See Zara v. Ashcroft*, 383 F.3d 927, 931 (9th Cir. 2004).

We also lack jurisdiction to review Arias-Garcia's challenge to the IJ's denial of voluntary departure. *See Alvarez-Santos v. INS*, 332 F.3d 1245, 1255 (9th Cir. 2003).

**PETITION FOR REVIEW DISMISSED.**